IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.212 OF 2007
IN
CRIMINAL REVISION APPLICATION NO.320 OF 2007

Suhas Shekhar Dang ..Applicant

V/s.

The State of Maharashtra ..Respondent

Mr.D.A.Nalavade, advocate for the applicant
Ms.M.H.Mhatre, APP for the State

CORAM : V.C.DAGA, J.

DATE : 26TH JULY, 2007

P.C.

1. Heard learned counsel for the applicant. By consent of parties, delay is condoned.

2. By consent of parties, Criminal Revision Application is taken up for hearing. Heard finally by consent of parties since learned APP waived service.

3. It appears that an offence alleged against the applicant is that he permitted his tractor of

Massy-Fergusson bearing No.MH-09-U-5811 to be driven by one Ajit Bambalade on public road though he did not have valid driving license to drive the vehicle on the public road. Considering the offence alleged the applicant is convicted for the offence punishable under Section 5 r/w.180 of the Motor Vehicles Act, 1988 and sentenced to suffer rigorous imprisonment for two days and to pay fine of Rs.1000/-, in default simple imprisonment for 30 days.

4. The applicant is a Civil Contractor. He himself was not driving the vehicle. Under these circumstances, considering nature of the offence and involvement of the applicant sentence is modified and stands substituted as under :-

> The applicant is hereby convicted for the offence punishable under Section 5 r/w.180 of the Motor Vehicles Act, 1988 and the applicant shall pay fine in the sum of Rs.5000/- in default he shall suffer simple imprisonment for a period of two months. Fine to be paid within 15 days.

(**V.C.DAGA, J.**)